



**Linda S. Adams**  
*Secretary for Environmental  
Protection*

# California Regional Water Quality Control Board

## Santa Ana Region

3737 Main Street, Suite 500, Riverside, California 92501-3348  
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<http://www.waterboards.ca.gov/santaana>



**Arnold Schwarzenegger**  
*Governor*

## AGENDA ANNOUNCEMENT

### REGIONAL BOARD MEETING

Friday, February 29, 2008

9:00 A.M.

City of Loma Linda

25541 Barton Road

Loma Linda, CA

#### NOTICE

Changes and postponements that may occur to this agenda will be placed on our website and automatically forwarded to those who subscribe to our electronic mailing list. Anyone wishing to subscribe to our electronic agenda mailing list may do so, as follows: go to [www.waterboards.ca.gov/santaana/](http://www.waterboards.ca.gov/santaana/) and choose "Subscribe to Electronic Mailing Lists" from the homepage. Those who are not subscribers should visit our website prior to the board meeting date.

Supporting documents for agenda items are now posted on our website at least 7 days prior to the scheduled meeting. To view or download the documentation, go to [www.waterboards.ca.gov/santaana/](http://www.waterboards.ca.gov/santaana/) and select the item of interest.

1. **Introductions**
2. **Public Forum** — Any person may address the Board at the commencement of the meeting on any matter within the Regional Board's jurisdiction and not related to an item that is to be considered separately. The Regional Board Chair requests that each person addressing the Regional Board observe a three-minute time limit.
3. **[Approval of the Minutes of the Regular Board Meeting of January 18, 2008.](#)**  
{Felipa Carrillo 951/782-3285 [fcarrillo@waterboards.ca.gov](mailto:fcarrillo@waterboards.ca.gov)}
4. **Consideration of Consent Calendar Items.** Items marked with an asterisk (\*) are expected to be routine and non-controversial. The Regional Board will be asked to approve these items at one time without discussion. If any interested party, Board Member or staff requests that an item be removed from the calendar, it will be taken up in the order shown.
- \*5. **[Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement](#)** -  
William Harris, 40375 Pageant Place, Hemet, Riverside County - APN 451-240-020.  
{Joanne Schneider 951/782-3287 [jschneider@waterboards.ca.gov](mailto:jschneider@waterboards.ca.gov)}

- \*6. [Renewal of Waste Discharge Requirements and a National Pollutant Discharge Elimination System Permit \(NPDES No. CA0106496\) for Knott's Berry Farm, Orange County](#) - Renewal of waste discharge requirements for discharges of pedestrian area wash-down water and stormwater to a storm channel tributary to the Tidal Prism of the San Gabriel River.  
{Joanne Schneider 951/782-3287 [jschneider@waterboards.ca.gov](mailto:jschneider@waterboards.ca.gov)} Order No. R8-2008-0002
- \*7. [Renewal of Waste Discharge Requirements and a National Pollutant Discharge Elimination System Permit \(NPDES No. CA8000316\) for Western Riverside County Regional Wastewater Authority Regional Treatment Plant, Riverside County](#) - Discharge of approximately 8 million gallons per day of tertiary treated wastewater to Reach 3 of the Santa Ana River.  
{Joanne Schneider 951/782-3287 [jschneider@waterboards.ca.gov](mailto:jschneider@waterboards.ca.gov)} Order No. R8-2008-0005
- \*8. [Centex Corporation, Tract 32786 \("Terracina Project"\), Riverside County](#) – Issuance of requirements for discharges of fill to 0.49 acres of ephemeral drainages, including 0.07 acres of wetlands, that are waters of the State, in the City of Lake Elsinore. The discharger has asserted that the drainages and wetlands are not subject to the jurisdiction of the U.S. Army Corps of Engineers. The requirements will serve as a Clean Water Act Section 401 Certification in the event that one is needed.  
{Mark G. Adelson 951/782-3234 [madelson@waterboards.ca.gov](mailto:madelson@waterboards.ca.gov)} Order No. R8-2008-0024  
**(This item was postponed from the September 7, 2007 meeting).**
- \*9. [Fairfield Holland Road L.P., Tract 34092, Riverside County](#) – Issuance of requirements for discharges of fill to 0.22 acres of ephemeral drainages that are waters of the State, in the unincorporated Riverside County communities of Sun City and Menifee. The U.S. Army Corps of Engineers has determined that these drainages are not subject to its jurisdiction. The requirements will serve as a Clean Water Act Section 401 Certification in the event that one is needed.  
{Mark G. Adelson 951/782-3234 [madelson@waterboards.ca.gov](mailto:madelson@waterboards.ca.gov)} Order No. R8-2008-0015
- \*10. [Distinguished Homes, Tentative Tract Map 16798 \("Iron Horse Hills"\), San Bernardino County](#) – Issuance of requirements for discharges of fill to 0.30 acres of ephemeral drainages, including 0.15 acres of riparian area, that are waters of the State, in the City of Colton. The U.S. Army Corps of Engineers has determined that these drainages are not subject to its jurisdiction.  
{Mark G. Adelson 951/782-3234 [madelson@waterboards.ca.gov](mailto:madelson@waterboards.ca.gov)} Order No. R8-2008-0025
- \*11. [Florida Promenade, Riverside County](#) – Issuance of requirements for discharges of fill to 0.20 acres of intermittent drainages that are waters of the State, in the City of Hemet. The discharger has asserted that the drainages and wetlands are not subject to the jurisdiction of the U.S. Army Corps of Engineers. The requirements will serve as a Clean Water Act Section 401 Certification in the event that one is needed.  
{Mark G. Adelson 951/782-3234 [madelson@waterboards.ca.gov](mailto:madelson@waterboards.ca.gov)} Order No. R8-2008-0026
- \*12. [Middle Santa Ana River Bacterial Indicator TMDL](#) - The Board will consider approval of the proposed Urban Source Evaluation Plan and the proposed Agricultural Source Evaluation Plan submitted by the Middle Santa Ana River TMDL Task Force in compliance with the Middle Santa Ana River Bacterial Indicator TMDLs.  
{Hope A. Smythe 951/782-4493 [hsmythe@waterboards.ca.gov](mailto:hsmythe@waterboards.ca.gov)}

- \*13. **Administrative Civil Liability Complaint, L&H Mold & Engineering, San Bernardino County**  
- The Board will consider whether to affirm, reject or modify the administrative civil liability assessment as proposed in Administrative Civil Liability Complaint No. R8-2007-0021. L&H signed a waiver of hearing and partially paid the assessment. Adoption of this Order will facilitate collection of the balance of the assessment.  
{Milasol Gaslan 951/782-4419 [mgaslan@waterboards.ca.gov](mailto:mgaslan@waterboards.ca.gov)} Order No. R8-2008-0039
14. **Administrative Civil Liability Complaint, Fire Resources Inc. West Coast, San Bernardino County**  
- The Board will consider whether to affirm, reject or modify the administrative civil liability assessment as proposed in Administrative Civil Liability Complaint No. R8-2008-0011.  
{Milasol Gaslan 951/782-4419 [mgaslan@waterboards.ca.gov](mailto:mgaslan@waterboards.ca.gov)} Order No. R8-2008-0031
15. **Administrative Civil Liability Complaint, Orozco International, San Bernardino County** -  
The Board will consider whether to affirm, reject or modify the administrative civil liability assessment as proposed in Administrative Civil Liability Complaint No. R8-2008-0012.  
{Milasol Gaslan 951/782-4419 [mgaslan@waterboards.ca.gov](mailto:mgaslan@waterboards.ca.gov)} Order No. R8-2008-0032
16. **Administrative Civil Liability Complaint, Amazing Steel Company, San Bernardino County**  
- The Board will consider whether to affirm, reject or modify the administrative civil liability assessment as proposed in Administrative Civil Liability Complaint No. R8-2008-0013.  
{Milasol Gaslan 951/782-4419 [mgaslan@waterboards.ca.gov](mailto:mgaslan@waterboards.ca.gov)} Order No. R8-2008-0034
17. **Administrative Civil Liability Complaint, Lowes California RDC, Riverside County** - The Board will consider whether to affirm, reject or modify the administrative civil liability assessment as proposed in Administrative Civil Liability Complaint No. R8-2008-0014.  
{Milasol Gaslan 951/782-4419 [mgaslan@waterboards.ca.gov](mailto:mgaslan@waterboards.ca.gov)} Order No. R8-2008-0035
18. **Administrative Civil Liability Complaint, Downtown Auto Wrecking, San Bernardino County**  
- The Board will consider whether to affirm, reject or modify the administrative civil liability assessment as proposed in Administrative Civil Liability Complaint No. R8-2007-0090.  
{Milasol Gaslan 951/782-4419 [mgaslan@waterboards.ca.gov](mailto:mgaslan@waterboards.ca.gov)} Order No. R8-2008-0037
19. **Administrative Civil Liability Complaint, NYK Logistics (Americas), Inc., Riverside County**  
- The Board will consider whether to affirm, reject or modify the administrative civil liability assessment as proposed in Administrative Civil Liability Complaint No. R8-2007-0088.  
{Milasol Gaslan 951/782-4419 [mgaslan@waterboards.ca.gov](mailto:mgaslan@waterboards.ca.gov)} Order No. R8-2008-0038
20. **Administrative Civil Liability Complaint, Ross Pallet, Inc., City of Santa Ana, Orange County**  
- The Board will consider whether to affirm, reject, or modify the administrative civil liability assessment as proposed in Civil Liability Complaint No. R8-2008-0022.  
{Mark Smythe 951/782-4998 [msmythe@waterboards.ca.gov](mailto:msmythe@waterboards.ca.gov)} Order No. R8-2008-0029
21. **Resolution Regarding Cleanup and Abatement Account Funding Related to Perchlorate Contamination** – The Board will consider adoption of a resolution requesting Cleanup and Abatement funds from the State Water Resources Control Board for conducting a regional groundwater study related to perchlorate contamination of groundwater in the Rialto area (action item).  
{Kurt V. Berchtold 951/782-3286 [kberchtold@waterboards.ca.gov](mailto:kberchtold@waterboards.ca.gov)} Resolution No. R8-2008-0020

22. **Status Report on Rialto-Colton-Fontana Perchlorate Investigation** - Staff will provide an update on the progress of investigation of perchlorate pollution in this area (information item).  
{Robert Holub 951/782-3298 [rholub@waterboards.ca.gov](mailto:rholub@waterboards.ca.gov)}
23. **Hazardous Waste Incident Report** - Board staff will provide a list of hazardous waste incidents within the Region to the Board (information item).  
{Kenneth R. Williams 951/782-4496 [kwilliams@waterboards.ca.gov](mailto:kwilliams@waterboards.ca.gov)}
24. **Underground Storage Tanks Corrective Action Plans** - Board staff will provide a list of sites where Corrective Action plans have been submitted for sites within the Region as required by the California Underground Storage Tank Regulations, Title 23, Article 11, Section 2728 (information item).  
{Kenneth R. Williams 951/782-4496 [kwilliams@waterboards.ca.gov](mailto:kwilliams@waterboards.ca.gov)}
25. **Underground Storage Tanks Site Closure Report** - Board staff will provide a list of site closures that have occurred within the Region as required by the California Underground Storage Tank Regulations, Title 23, Article 11, Section 2728(d) (Information item).  
{Kenneth R. Williams 951/782-4496 [kwilliams@waterboards.ca.gov](mailto:kwilliams@waterboards.ca.gov)}
26. **Regional Board Member and Executive Officer Communications** - Board Members and the Executive Officer may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Regional Board's jurisdiction. There will be no voting or formal action taken.
27. **Closed Session** - At any time during the regular session, the Regional Board may adjourn to a closed session to:
  - a. consider evidence received in an adjudicatory hearing and deliberate on a decision to be reached based on that evidence (Gov. Code Section 11126(c)(3));
  - b. consider the appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against a public employee (Gov. Code Section 11126(a)(1));
  - c. discuss significant exposure to litigation (Gov. Code Section 11126(e)(2)(B)(i));
  - d. discuss whether to initiate litigation (Gov. Code Section 11126(e)(2)(C)(i)); and
  - e. discuss pending litigation in the following matters (Gov. Code, § 11126, subd.(e)):
    - (1) Stringfellow Hazardous Waste Site;
    - (2) US EPA, Santa Ana Region v. Orange County Sanitation District (U.S. Dist. Ct., CD Cal.);
    - (3) Goodrich Corporation v. California State Water Resources Control Board et al. (Los Angeles Sup. Ct. Case No. BS 110389,[consolidated with BS 110390 and BS 110391].);
    - (4) In re Petitions of Kwikset Locks, Inc. (SWRCB/OCC File Nos. A-1732, 1732(a), 1732(b), 1732(c), and 1732(d));
    - (5) In re Petition of Natural Resources Defense Council, Inc. (SWRCB/OCC File No. A-1883); and
    - (6) In re Own Motion Review of Rialto-Area Perchlorate Contamination (SWRCB/OCC File No. A-1824).

**Adjournment** to the regular meeting of April 18, 2008 at 9:30 a.m., City Council Chambers, 25541 Barton Road, Loma Linda, CA.

## **NOTICES**

Any person who has a disability and requires reasonable accommodation to participate in this Regional Board Meeting should contact Felipa Carrillo at [fcarrillo@waterboards.ca.gov](mailto:fcarrillo@waterboards.ca.gov), or at 951/782-3285, no later than ten (10) days prior to the meeting.

Any person interested in obtaining information and/or providing input regarding pending applications for Water Quality Standards Certification under Section 401 of the Federal Clean Water Act may do so by contacting Mark G. Adelson at 951/782-3234.

**California Regional Water Quality Control Board - Santa Ana Region**

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Internet Address: <http://www.waterboards.ca.gov/santaana>

**BOARD INFORMATION SHEET**

**BOARD MEMBERS**

Carole H. Beswick, Chair  
Deborah Neev, Vice Chair  
John Withers  
Seymour D. Van Gundy  
William Ruh  
Mary E. Cramer  
Maurice Gallarda  
Fred Ameri  
Vacant

**APPOINTMENT CATEGORY**

County Government  
Undesignated (Public)  
Water Supply  
Water Quality  
Recreation, Fish and Wildlife  
Irrigated Agriculture  
Water Quality  
Industrial Water Use  
Municipal Government

**REGIONAL BOARD LEGAL COUNSEL**

David Rice, State Water Resources Control Board  
Office of Chief Counsel  
1001 "I" Street, 22<sup>nd</sup> Floor  
Sacramento, CA 95812  
(916) 341-5167

**REGIONAL BOARD SENIOR STAFF**

Gerard J. Thibeault, Executive Officer  
Kurt V. Berchtold, Assistant Executive Officer  
Joanne E. Schneider, Environmental Program Manager  
Robert L. Holub, Supervising Water Resource Control Engineer  
Michael J. Adackapara, Supervising Water Resource Control Engineer  
Gary D. Stewart, Chief of Compliance  
Dixie B. Lass, Chief of Land Disposal  
Steven D. Mayville, Chief of Enforcement  
Wanda Cross, Chief of Basin Planning - Coastal Waters  
Hope A. Smythe, Chief of Basin Planning - Inland Waters  
Mark G. Adelson, Chief of Regional Planning Programs  
Mark E. Smythe, Chief of Stormwater - Coastal  
Milasol C. Gaslan, Chief of Stormwater - Inland  
Jun Martinez, Chief of Permitting  
Ann E. Sturdivant, Chief of SLIC/Department of Defense  
Kenneth R. Williams, Chief of Pollutant Investigations  
Catherine Ehrenfeld, Regional Administrative Officer  
Kevin Heinemann, Information Systems Analyst  
Felipa Carrillo, Executive Assistant

**GENERAL STATEMENT**

The primary duty of the Regional Board is to protect the quality of the waters within the Region for all beneficial uses. This duty is implemented by formulating and adopting water quality control plans for all ground and surface water bodies in the region and by prescribing and enforcing requirements on waste discharges. The specific responsibilities and procedures of the Regional Water Quality Boards and the State Water Resources Control Board are outlined in the Porter-Cologne Water Quality Control Act (Division 7, California Water Code).

The purpose of this meeting is for the Board to obtain testimony and information from concerned and affected parties and make decisions after considering the recommendations made by the Executive Officer.

Whenever possible, lengthy testimony should be presented to the Board in writing one week before the scheduled meeting and only a summary of pertinent issues should be presented orally. For each matter considered, relevant Regional Board files are incorporated into the record.

A copy of the procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Regional Water Board are conducted pursuant to Government Code Section 11400 et seq. and 11513.

#### DISCLOSURE STATEMENT

All persons who actively support or oppose the adoption of waste discharge requirements or NPDES permits pending before the Regional Board, must submit a statement to the board disclosing any contribution of \$250.00 or more to be used in a federal, state, or local election, made by the action supporter or opponent, or his/her agent, within the last twelve months to any Regional Board Member.

Also, all permit applications and all persons who actively support or oppose adoption of a set of waste discharge requirements and/or NPDES permits pending before the Regional Board are prohibited from making contributions of \$250.00 or more to any Board member for three months following a Regional Board decision on the permit application.

#### RIGHT TO PETITION

Any person affected adversely by a decision of the California Regional Water Quality Control Board, Santa Ana Region (Regional Board), may petition the State Water Resources Control Board (State Board) to review the decision. The petition must be received by the State Board within thirty days of the Regional Board's meeting at which the adverse action was taken. Copies of the law and regulations applicable to filing petitions will be provided upon request to the Regional Board.

NOTE: The agenda items are numbered for identification purposes only and will not necessarily be considered in the order listed. The Public Forum item will be limited to one hour.

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California Regional Water Quality Control Board  
Santa Ana Region  
3737 Main Street, Suite 500  
Riverside, CA 92501-3348

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**Agenda Announcement**